

103.1007.02

09/383,340

REMARKS:Status

Claims 23, 24, 26 to 36, 38 to 48, and 50 to 58 are pending. Claims 23, 35 and 47 are the independent claims. Reconsideration and further examination are respectfully requested.

Comments on Examiner's Response to Arguments

The "Response to Arguments" section of the Office Action states the following: "The specification discloses the 'file server' is really a logical entity comprises two real (and separate) servers connected to a common storage set. (See specification page 7, lines 6 to 10)." Applicant respectfully points out that this is not what is stated at page 7, lines 6 to 10. Rather, that text states that "A file server *system* 100 includes a set of file servers 110, each including a couple pair of file server nodes 111 having co-coupled common sets of mass storage devices 112" (emphasis added). Applicant notes that a "file server *system*" is not synonymous with a "file server." Rather, as shown in Figure 1, Applicant is using the term "file server system" to represent a system that includes two file servers 110, each of which includes two file server nodes 111.

Applicant further notes that while each of the claimed nodes includes "a processor and a memory," these nodes are not complete file servers. For example, each node does not include its own set of storage devices. In contrast, the claimed file servers each include their own set of storage devices, for example as also shown in Figure 1.

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Claim Rejections

All pending claims were rejected under 35 U.S.C. § 103 over U.S. Patent No. 5,781,716 (Hemphill), alone or in combination with U.S. Patent No. 6,148,414 (Brown). Applicant respectfully traverses these rejections.

The Examiner has interpreted Hemphill's servers 100 and 200 to be equivalent to Applicant's claimed nodes. As explained above, Applicant submits the claimed nodes are not servers, but rather are included in file servers. Thus, Applicant submits that the claimed nodes are not in fact equivalent to Hemphill's servers 100 and 200.

If Hemphill's servers 100 and 200 are not equivalent to the claimed nodes, it follows that Hemphill does not teach the claimed server/node arrangements in independent claims 23, 35 and 47. Brown is not seen to offer anything that remedies this deficiency of Hemphill. Accordingly, reconsideration and withdrawal are respectfully requested of the § 103 rejections.

Closing

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

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Applicant's undersigned attorney can be reached at (614) 486-3585. All correspondence should continue to be directed to the address indicated below.

Respectfully submitted,



Dane C. Butzer
Reg. No. 43,521

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Swernofsky Law Group PC
P.O. Box 390013
Mountain View, CA 94039-0013
(650) 947-0700

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